

REMARKS/ARGUMENTS

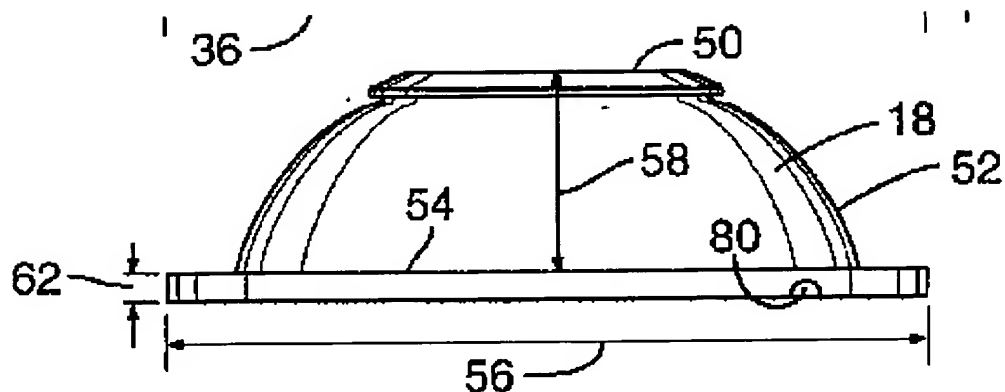
Claims 11 and 13 through 33 are pending in this application. Claims 1 through 10 and 12 have been cancelled.

The Office Action rejects claims 1 through 10, 24 and 30 through 33 under 35 U.S.C. §102(b) as being anticipated by Dieringer (U.S. Patent No. 6,161,710). This rejection is moot as to claims 1 through 10, which have been cancelled. The Office Action concedes that Dieringer fails to disclose a vent disposed within a bottle. Claims 24 and 30 through 33 include the feature of a bottle having a first end being open and a second end having a vent. Thus, Dieringer does not anticipate claims 24 and 30 through 33.

The Office Action rejects claims 11 through 23 and 25 through 29 under 35 U.S.C. §103(a) as being obvious over Dieringer (U.S. Patent No. 6,161,710) in view of Chen (U.S. Patent No. 6,209,736). This rejection is moot as to claim 12, which has been cancelled. The combination of Dieringer and Chen fails to render claims 11 through 23 and 25 through 29 obvious.

Claims 11 through 23 include the feature of a bottle having a vent disposed remotely from a nipple and the nipple being non-vented. Claims 25 through 29 include the feature of a bottle having a second end having a vent with a nipple connected to the first end of the bottle and being non-vented.

As conceded by the Office Action, Dieringer fails to disclose a vent disposed within a bottle. Rather, Dieringer utilizes a venting mechanism in the nipple, as seen by vent 80 of Figure 8:



Dieringer describes the nipple venting process as follows:

In the preferred embodiment, inner membrane 18 includes an air vent 80 that allows air to flow into an interior 84 of bottle 22 when fluid is withdrawn under pressure through nipple 26, as will be described below, so that a build up of pressure in the bottle does not prevent the flow of fluid therefrom. Air vent 80 may comprise a one-way valve such that fluid cannot escape there through. (Dieringer col. 6, lines 30-36).

In contrast, the Chen bottle has a bottom mounted vent so as to avoid air passing into the liquid and being ingested by the infant when feeding as shown in Figure 3:

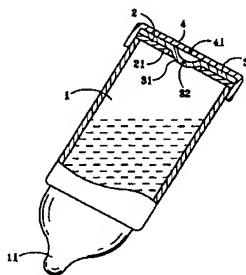


FIG. 3

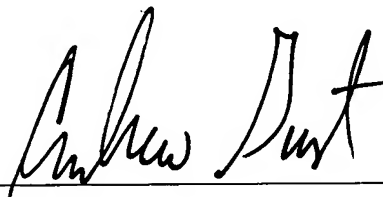
There is no motivation to replace the nipple venting mechanism of Dieringer with the bottle venting mechanism of Chen. The Chen device teaches away from any venting at the nipple as is done in Dieringer so that air is not ingested by the infant. Moreover, the Dieringer nipple is designed for use with standard baby bottles, which are non-vented. (Dieringer col. 4, lines 45-50). Removing the vent from the Dieringer bottle would obviate the objective of being able to use the nipple with standard baby bottles.

Thus, the combination of Dieringer and Chen fails to render claims 11 through 23 and 25 through 29 obvious.

In view of the foregoing, applicant respectfully submits that all claims present in this application are patentable over the cited prior art. Accordingly, applicant respectfully requests favorable reconsideration and withdrawal of the rejections of the claims. Also, applicant respectfully requests that this application be passed to allowance.

Dated

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